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7 Attorneys for Promotopia, Inc.
Plaintiff

8 IN THE UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11
12 Promotopia, Inc., a California
Corporation,

13 Plaintiff,

14 vs.

15 Great American Opportunities, Inc.,
16 a Tennessee Corporation,

17 Defendant.

Case No.: 08-CV-01967 JF (RS)

18 **STIPULATION AND ORDER TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE
PURSUANT TO CIVIL L.R. 16-2(e)**

19 Date: August 22, 2008
Time: 10:30 a.m.
20 Dept: Courtroom 3, 5th Floor
Hon. Judge: The Honorable Jeremy Fogel
21 Trial Date: none

22 The Parties to this lawsuit, Promotopia, Inc, (Plaintiff), and Great American
23 Opportunities (Defendant) represent to this court that they are in settlement discussions, and a
24 settlement agreement is being prepared. Subsequent to that agreement being executed, this
25 lawsuit will be dismissed with prejudice. As such, it is requested that the Case Management
26 Conference, presently scheduled for August 22, 2008, at 10:30 a.m. in the above-referenced
27 court, be postponed until Friday, September 5, 2008, at 10:30 a.m., in order to provide adequate
time for the settlement agreement to be prepared and executed.

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1 Therefore, the parties stipulate that the Initial Case Management Conference be continued
2 to Friday, September 5, 2008, at 10:30 a.m. in Courtroom 3, 5th Floor, of the U.S. District Court,
3 San Jose, California.

4 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

5 Respectfully submitted,

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8 Date: Aug 12, 2008

By: Kevin R. Martin

Kevin R. Martin

Paul Martin

RANDICK O'DEA & TOOLIATOS, LLP

Attorneys for Plaintiff

PROMOTOPIA, INC.

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13 Date: August 11, 2008

By: Christopher Ogden

Robert E. Krebs

Christopher L. Ogden

THELEN REID BROWN, et al.

Attorneys for Defendant

GREAT AMERICAN OPPORTUNITIES, INC.

1 PURSUANT TO STIPULATION,

2 IT IS HEREBY ORDERED that the Initial Case Management Conference currently
3 scheduled for August 22, 2008, at 10:30 a.m. be continued to and held on **Friday, September 5,**
4 **2008, at 10:30 a.m.** in Courtroom 3, 5th Floor, of the above-referenced court located at 280
5 South First Street, San Jose, California.
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8 Date: _____, 2008 By: _____
9 Jeremy Fogel
10 United States District Court Judge
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